



NEWS RELEASE

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Authorities Charge Four Individuals and Shut Down Businesses across SoCal that Allegedly Sold Nitrous Oxide as Recreational Drug

LOS ANGELES – Law enforcement authorities today arrested three defendants and executed 26 search warrants as part of a federal criminal investigation into the sale of nitrous oxide – an inhalant ostensibly offered for use as a “booster” in sports cars, but in reality being distributed solely for recreational drug use.

Documents related to the investigation allege that nitrous oxide is being sold by stores across Southern California that purport to sell the gas for welding or car racing applications, but in fact are merely distributing a drug used by young people at rave-style parties.

A fourth defendant charged as part of the investigation is currently being sought by authorities.

The investigation into the illegal distribution of nitrous oxide was announced at a press conference this afternoon by United States Attorney André Birotte Jr.; Los Angeles County Sheriff Lee Baca; and Lisa Malinowski, Special Agent in Charge of the United States Food and Drug Administration’s Office of Criminal Investigations.

Nitrous oxide is a dangerous prescription drug that is inhaled by recreational users, typically from balloons that are filled from large, compressed gas cylinders. The drug can cause many significant and debilitating side effects, including, in extreme cases, death. During the past year, several adolescents in the Los Angeles region have been killed in car accidents linked to the use of nitrous oxide, and acts of violence have been associated with the inhalation or sale of the drug, according to court documents.

Sales of nitrous oxide as a drug have dramatically increased in Southern California over the past five years, according to the Los Angeles Sheriff's Department.

Two criminal complaints filed in United States District Court allege that the four defendants – as well as a host of storefronts across Los Angeles and Orange counties, as well as the Inland Empire – engaged in “misbranding” of nitrous oxide because they are distributing nitrous oxide for personal use without a prescription and in containers that do not include proper warning labels.

“Nitrous oxide is a dangerous inhalant when used for recreational purposes, and we want the public, especially parents, to be aware of its abuse by our youth,” said United States Attorney André Birotte Jr. “We also want those who choose to profit from the sale of nitrous oxide as a recreational drug to know that law enforcement is on your trail. We will find you, prosecute you, and convict you.”

A 73-page affidavit filed in support of the criminal complaints outlines a 15-month investigation dubbed “Operation No Laughing Matter,” a reference to “laughing gas,” a commonly used name for nitrous oxide. The prescription drug has legitimate uses, such as an anesthesia, but is used also for recreational purposes to create a temporary, euphoric “rush.” At high and prolonged exposure levels, nitrous oxide is an asphyxiant that can cause death from a lack of oxygen. The illegal use of nitrous oxide can also lead to spasms, convulsions and other health problems.

The illegal distribution of nitrous oxide also negatively impacts the environment. Nitrous oxide is a greenhouse gas with about 300 times the harmful impact of carbon dioxide, the most common and best-known greenhouse gas.

One criminal complaint charges three defendants associated with Victor Welding Supply on East 58th Street in South Los Angeles. Out of those three defendants, two were arrested earlier this afternoon at Victor Welding. Those charges are:

- William Victor, 65, of Northridge, who is currently being sought by authorities;
- Edward Valencia, 51, of Lynwood, who was arrested; and
- Federico Valencia, 58, of South Los Angeles, who was arrested.

The third defendant arrested today – Rose Marie Cuellar, 20, of Florence-Graham – is an employee of LA Rush, Inc., which operates stores in Norwalk and Huntington Park.

“The collaboration with the FDA and U.S. Attorney’s Office to crack down on these illegal nitrous oxide businesses enables us to prevent harm to youth that are using these drugs recreationally at illegal parties,” said Sheriff Lee Baca. “Through our Electronic Communication Unit, which observes open source social media sites at Sheriff’s Headquarters Bureau, we have been able to locate more than 350 illegal parties that were openly advertised on social media. The businesses that were targeted today sell a dangerous product that perpetrates violent assaults, sexual assaults, juvenile fatalities and overdoses.”

The three defendants arrested today are expected to remain in custody until they make their initial court appearances in United States District Court in downtown Los Angeles on Monday. Authorities will attempt to take Victor into custody.

In addition to the four arrests, authorities today executed federal search warrants at 17 businesses and on nine delivery vehicles.

“Today’s large-scale enforcement operation demonstrates the commitment of the FDA’s Office of Criminal Investigations to protect the health and safety of the public from the harms inherent in being exposed to unsafe and potentially life-threatening misbranded drugs,” said Lisa Malinowski, Special Agent in Charge of the Los Angeles Field Office of the FDA’s Office of Criminal Investigations. “OCI will continue to aggressively pursue those involved in the sale of misbranded drugs and will strive to ensure that they are prosecuted to the full extent of the law.”

The federal charge of misbranding a drug is a misdemeanor violation of the federal Food, Drug, and Cosmetic Act that carries a statutory maximum penalty of one year in prison and up to a \$100,000 fine.

Operation No Laughing Matter is part of an ongoing investigation being conducted by the United States Food and Drug Administration’s Office of Criminal Investigations and the Los Angeles County Sheriff’s Department.

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